

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF OKLAHOMA**

**BOBBY WAYNE PRESLEY,**

**Plaintiff,**

**v.**

**UNION PACIFIC RAILROAD  
COMPANY,**

**Defendant.**

**Case No. CIV-10-252-SPS**


**OPINION AND ORDER**  
**REGARDING MOTIONS IN LIMINE**

With regard to the pending motions before the Court, the Court orders the following:

1. The Defendant's Motion in Limine Regarding the Speed of the Locomotive and Brief in Support [Docket No. 126] is hereby DENIED.
2. The Defendant's *Daubert* Motion Regarding Carolyn Dillard, D.O. and Brief in Support [Docket No. 127] is hereby GRANTED.
3. The Defendant's *Daubert* Motion Regarding Terry Cordray and Brief in Support [Docket No. 129] is hereby DENIED.
4. The Defendant's Motions in Limine and Brief in Support [Docket No. 130] is hereby GRANTED as to items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 17, and 18; and DENIED as to items 13 and 16.
5. The Plaintiff's Motions in Limine [Docket No. 132] is hereby GRANTED as to items 2, 3, 4, 5, 7, 8, 9, 11, and 12; DENIED as to items 1, 6, 10, and 13.

6. The Defendant's Motion in Limine Regarding Economic Damages and Brief in Support [Docket No. 133] is hereby DENIED.
7. The Defendant's Corrected *Daubert* Motion Regarding Anthony Capocelli, M.D. and Brief in Support [Docket No. 134] is hereby GRANTED.

IT IS SO ORDERED this 9th day of January, 2014.



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Steven P. Shreder  
United States Magistrate Judge  
Eastern District of Oklahoma